

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
NOV - 3 2021	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

**SEALED**

Michael J. Miceli, Esq.  
Nevada bar No. 10151  
PITARO & FUMO, CHTD.  
601 Las Vegas Boulevard, South  
Las Vegas, Nevada 89101  
(702) 474-7554 Fax (702) 474-4210  
Email:michaeljmiceli@gmail.com; kristine.fumolaw@gmail.com  
Attorney for Defendant – DANIELLE PARTINGTON

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA, ) 2:21-MJ-00687-EJY  
                                )  
                                )  
Plaintiff, )  
                                )  
                                )  
v. ) 2nd Request  
                                )  
DANIELLE PARTINGTON, )  
                                )  
Defendant. )  
                                )

**STIPULATION AND ORDER TO CONTINUE PRELIMINARY EXAMINATION**

IT IS HEREBY STIPULATED AND AGREED by and between MICHAEL J. MICELI, ESQ., Counsel for Defendant DANIELLE PARTINGTON and PETER S. LEVITT, Assistant United States Attorney, that Preliminary Examination currently scheduled for November 8, 2021 at 4:00 p.m., be vacated and reset to a date and time convenient to the court but no earlier than sixty (60) days.

This Stipulation is entered into for the following reasons:

1. Counsel has spoken to Defendant and she has no objection to the request for continuance.
  2. Defendant is currently out on pretrial release.

- 1       3. Counsel for defendant has spoken to AUSA and he has no objection to the
- 2                  continuance.
- 3       4. Counsel needs additional time to adequately review the case.
- 4       5. Denial of this request for continuance could result in a miscarriage justice.
- 5       6. For all the above-stated reasons, the ends of justice would best be served by a
- 6                  continuance of the Preliminary Examination until a date and time convenient to the
- 7                  court.
- 8
- 9

10       This is the second request for continuance filed herein.

11       DATED: November 3, 2021

12  
13       /s/ Michael J Micelli, Esq..  
14       MICHAEL J. MICELI, ESQ.  
15       601 Las Vegas Boulevard, South  
16       Las Vegas, Nevada 89101  
17       ATTORNEY FOR THE DEFENDANT  
18       DANIELLE PARTINGTON

19  
20       /s/ Peter S. Levitt, Esq.  
21       PETER S. LEVITT  
22       ASSISTANT UNITED STATES ATTORNEY  
23       501 LAS VEGAS BOULEVARD SOUTH. #1100  
24       LAS VEGAS, NEVADA 89101  
25       ATTORNEY FOR UNITED STATES OF  
26       AMERICA

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

4 UNITED STATES OF AMERICA, ) 2:21-MJ-00687-EJY  
5 )  
6 Plaintiff, )  
7 )  
8 v. )  
9 )  
10 DANIELLE PARTINGTON, )  
11 )  
Defendant. )  
12 )

## **FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

This Stipulation is entered into for the following reasons:

1. Counsel has spoken to Defendant and she has no objection to the request for continuance.
  2. Defendant is currently out on pretrial release.
  3. Counsel for defendant has spoken to AUSA and he has no objection to the continuance.
  4. Counsel needs additional time to adequately review the case.
  5. Denial of this request for continuance could result in a miscarriage justice.
  6. For all the above-stated reasons, the ends of justice would best be served by a continuance of the Preliminary Examination until a date and time convenient to the court.

This is the second request for continuance filed herein.

## **CONCLUSIONS OF LAW**

Denial of this request for continuance would deny the parties herein the opportunity to effectively and thoroughly prepare for Preliminary Examination.

Additionally, denial of this request for continuance could result in a miscarriage of justice.

## ORDER

IT IS HEREBY ORDERED that the Preliminary Examination currently scheduled for November 8, 2021, at 4:00 p.m.. be continued to the 7th day of January, 2022 at 4:00 p.m., in courtroom 3A.

DATED this 3rd day of November, 2021.

Elyna J. Zouchah  
UNITED STATES MAGISTRATE JUDGE